

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF WISCONSIN**

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**UNITED STATES OF AMERICA**

**COUNSEL-ONLY STATUS CONFERENCE**

v.

Case No. 21-cr-0005-bhl

**JOHN D WHELAN (1)**  
**TINA MONTEZON (2)**

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HONORABLE BRETT H. LUDWIG presiding  
Proceeding Held: 1/28/2022  
Deputy Clerk: Melissa P.

Time Called: 9:15 a.m.  
Time Concluded: 9:27 a.m.  
Audio at Docket No.: 40

**Appearances:**

UNITED STATES OF AMERICA by:	Julie F Stewart and Kevin C Knight
JOHN D WHELAN by:	Ronald W Chapman, II
TINA MONTEZON by:	Jonathan C Smith

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The parties updated the Court on the status of the case. Counsel for the government reported that the government has retained an additional expert and anticipates receiving his report by the end of February. Counsel for all parties agreed that two cases currently pending before the United States Supreme Court may impact the jury instructions and standards of proof in this case. *See Ruan v. United States*, No. 20-1410; *Kahn v. United States*, No. 21-5261. Given issues with the completion of the expert report and the pending Supreme Court cases, the parties requested that the Court reschedule the Final Pretrial and Trial dates.

A Final Pretrial will be held on July 7, 2022, at 9:00 a.m., by telephone. To appear, counsel must call the Court conference line at 1-866-434-5269 and enter access code 1737450# before the scheduled hearing time. A 9-day trial will commence on July 18, 2022 (to be held July 18-21 & July 25-29), at the U.S. Courthouse, 517 East Wisconsin Avenue, Milwaukee. The Court will issue a separate Amended Pretrial Order.

The Court made a finding under the Speedy Trial Act. The period of time from 1/28/2022 until 7/18/2022 is deemed excludable.